

# CITY OF MUSKEGON

## CITY COMMISSION MEETING

**JANUARY 27, 2015**

**CITY COMMISSION CHAMBERS @ 5:30 P.M.**

### **MINUTES**

The Regular Commission Meeting of the City of Muskegon was held at City Hall, 933 Terrace Street, Muskegon, MI at 5:30 p.m., Tuesday, January 27, 2015.

Mayor Gawron opened the meeting with prayer from Pastor Melvin C. Burns from the Agape Christian Fellowship Center after which the Commission and public recited the Pledge of Allegiance to the Flag.

#### **ROLL CALL FOR THE REGULAR COMMISSION MEETING:**

Present: Mayor Stephen Gawron, Vice Mayor Lawrence Spataro, Commissioners Willie German, Dan Rinsema-Sybenga, Byron Turnquist, Ken Johnson, and Eric Hood, City Manager Franklin Peterson, City Attorney John Schrier, and City Clerk Ann Marie Cummings.

#### **2015-07 CONSENT AGENDA:**

##### **A. Approval of Minutes. CITY CLERK**

SUMMARY OF REQUEST: To approve minutes of the January 12<sup>th</sup> Commission Worksession Meeting, and the January 13<sup>th</sup> City Commission Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

##### **B. MetroPCS First Amendment to the Tower Lease Agreement. PUBLIC WORKS**

SUMMARY OF REQUEST: Approve this current staff negotiated amendment to the contract with MetroPCS and rescind approval of the previous amendment (2014-86d) on November 10, 2104.

This request is the result of language changes requested by MetroPCS after the Commission approval on November 10, 2014. The new language changes have been reviewed and accepted by City staff and by the City Attorney.

FINANCIAL IMPACT: Monthly rental will increase from \$1,970.77 per month to \$2,045.77 escalating at the rate of 3% annually for the life of the contract.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve this First Amendment to the 2009 Lease Agreement and to authorize the Mayor and Clerk to sign.

**Motion by Vice Mayor Spataro, second by Commissioner Turnquist to approve the Consent Agenda minus Item C.**

**ROLL VOTE: Ayes: Gawron, Hood, Spataro, German, Rinsema-Sybenga, Turnquist, and Johnson**

**Nays: None**

**MOTION PASSES**

**2015-08 ITEM REMOVED FROM THE CONSENT AGENDA:**

**C. Amendment to the Zoning Ordinance.** PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Request to amend the zoning ordinance to allow crematories as a special land use permitted in B-4, General Business districts, by Sytsema Properties, LLC.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the zoning ordinance amendment.

COMMITTEE RECOMMENDATION: The Planning Commission unanimously recommended approval of the request at their January meeting.

**Motion by Commissioner Johnson, second by Commissioner German to amend the zoning ordinance to allow crematories as a special land use permitted in B-4, General Business districts.**

**ROLL VOTE: Ayes: Turnquist, Johnson, Gawron, Hood, Spataro, German, and Rinsema-Sybenga**

**Nays: None**

**MOTION PASSES**

**2015-09 NEW BUSINESS:**

**A. Increase Fire Staffing Levels (Fire Fighter).** PUBLIC SAFETY

SUMMARY OF REQUEST: The Director of Public Safety requests that the City Commission review and authorize the increase of fire staffing from the current level of 30 fire fighters to an authorized strength level of 33. This would allow 11 fire fighters per shift which would compliment our career staff and significantly reduce our current over-time cost(s).

The department dissolved the part-time fire fighter program in December, 2014, after noting the impact had no real significant impact on the department as many of the part-timers (12) were lost to full time departments after basic field

training. The part-time fire fighters were costly to equip & train and did not positively affect the over-time budget as anticipated. Our goal is to replace the 18 authorized part-time staffing levels with 9 careers sometime in the future, understanding this must be a cost neutral move with the idea of quality over quantity. The department currently has a hiring list that includes several of the past part-time fire fighters that received field training at the Muskegon Fire Department.

FINANCIAL IMPACT: This is a cost neutral program, reallocate the "contract service" line item into "salaries & benefit" to compensate for the added staffing. Achieve positive effects on "over-time" line item to offset expenditures now occurring.

BUDGET ACTION REQUIRED: Reallocate budgeted contract funds – note Union contract adjustments.

STAFF RECOMMENDATION: Staff recommends approval of the additional staffing positions.

**Motion by Vice Mayor Spataro, second by Commissioner Johnson to approve the additional staffing positions as described.**

**ROLL VOTE: Ayes: Spataro, German, Rinsema-Sybenga, Turnquist, Johnson, Gawron, and Hood**

**Nays: None**

**MOTION PASSES**

**B. Concurrence with the Housing Board of Appeals Notice and Order to Demolish the Following: PUBLIC SAFETY**

**1073 Williams Street**

**324 W. Larch Avenue**

**448 E. Isabella Avenue**

**619 Amity Avenue**

SUMMARY OF REQUEST: This is to request that the City Commission concur with the findings of the Housing Board of Appeals that the structures are unsafe, substandard, a public nuisance and that they be demolished within 30 days or infraction tickets may be issued. It is further requested that administration be directed to obtain bids for the demolition of the structures and that the Mayor and City Clerk be authorized and directed to execute a contract for demolition with the lowest responsible bidder.

FINANCIAL IMPACT: CDBG funds for 1073 Williams, 324 W. Larch, and 448 E. Isabella. General funds for 619 Amity.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To concur with the Housing Board of Appeals

decision to demolish.

**Motion by Commissioner German, second by Commissioner Rinsema-Sybenga to concur with the Housing Board Appeals notice and order to demolish 1073 Williams and 448 E. Isabella.**

**ROLL VOTE: Ayes: Rinsema-Sybenga, Turnquist, Johnson, Gawron, Hood, Spataro, and German**

**Nays: None**

***MOTION PASSES***

**Motion by Vice Mayor Spataro, second by Commissioner Turnquist to concur with the Housing Board of Appeals notice and order to demolish 324 W. Larch.**

**ROLL VOTE: Ayes: Hood, Spataro, German, Rinsema-Sybenga, Turnquist, Johnson, and Gawron**

**Nays: None**

***MOTION PASSES***

**Motion by Vice Mayor Spataro, second by Commissioner Hood to concur with the Housing Board of Appeals notice and order to demolish 619 Amity.**

**Motion by Commissioner Johnson, second by Commissioner Hood to table this matter for three months.**

**(Vote on the motion to Table.)**

**ROLL VOTE: Ayes: German, Johnson, and Hood**

**Nays: Rinsema-Sybenga, Turnquist, Gawron, and Spataro**

***MOTION TO TABLE FAILS***

**(Vote on the original motion to demolish.)**

**ROLL VOTE: Ayes: Gawron, Spataro, German, Rinsema-Sybenga, and Turnquist**

**Nays: Johnson and Hood**

***MOTION PASSES***

**PUBLIC PARTICIPATION:** Public comments were received.

**ADJOURNMENT:** The City Commission Meeting adjourned at 6:40 p.m.

Respectfully submitted,

Ann Marie Cummings, MMC  
City Clerk